

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of January 22, 2009 (Office Action). As this action is timely filed within the three-month shortened statutory period, no fees are believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account 14-1437.

### **Claim Rejections – 35 USC § 103**

Claims 1, 5, and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,714,977 to Fowler, *et al.* (hereinafter Fowler) in view of U.S. Published Patent Application 2002/0065885 to Buonanno, *et al.* (hereinafter Buonanno), and in further view of U.S. Patent 6,754,310 to Steinbrenner, *et al.* (hereinafter Steinbrenner). Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fowler in view of Buonanno, and in further view of Steinbrenner and U.S. Patent 6,718,015 to Berstis, *et al.* (hereinafter Berstis)

Although Applicants respectfully disagree with the rejections, Applicants have slightly modified the language of Claim 1 in an effort to even more clearly define the present invention. Claims 21-26 have been added. The claim amendments and the added claims are fully supported by the original disclosure and no new matter has been introduced.

### **Aspects of Applicants' Invention**

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by Claim 1, is a household Internet connection monitoring and troubleshooting method.

The method can include detecting a connectivity problem with a household Internet connection, which connects a household intranet to the Internet; selecting a

contact point from a list of multiple contact points of a maintainer of the household; and attempting to establish a communication connection with the contact point. The contact points include at least one among a mobile telephone number, a pager number, a work number, and a fax telephone number. The communication connection is different from the household Internet connection. The method can further include, when the attempt fails, selecting another contact point from the list and attempting to establish a communication connection with the other contact point until a communication connection is successfully established with one of the contact points in the list. If all attempts fail, a message is left to one of the contact point.

The method also can include conveying a problem notification to the contact point through the communication connection; providing at least one option for troubleshooting the connectivity problem; receiving a selection of one of the at least one option; and responsively performing an action relating to the Internet connection based on the received selection of option.

See, e.g., Specification, paragraphs [0022] to [0024]; see also Fig. 2.

### **The Claims Define Over The Prior Art**

As already discussed in the previous response, the alternate personnel list of Buonanno is not a list of multiple contact points of a single person in the sense of the present invention. In the present invention, the contact points refer to a plurality of contact numbers (such as a mobile telephone number, a pager number, a work number, a fax telephone number, etc.) that can be used to reach the household maintainer in order to more certainly inform the household maintainer of the Internet connectivity problem. In contrast, in Buonanno the alternate personnel list refers to a list of authorized representatives who can handle the exceptions, not different contact numbers to contact the household maintainer. Therefore, in Buonanno even if an authorized representative

may be located in order to resolve the exception, the household maintainer may not be notified of the problem and thus cannot select any options for troubleshooting.

It was asserted in the Office Action that the fact that different numbers can be stored in a list format makes it obvious that any number can be stored, whether it be different personnel (as described in Buonanno) or different numbers of the maintainer of a household (as claimed in the instant application).

It is noted that in Buonanno the system waits for an authorized representative from the list of authorized representatives to handle the exceptions; whereas in the present invention the system provides troubleshooting options for the household maintainer to select. In Buonanno, any of the authorized representatives can handle the exceptions; whereas in the present invention, only the household maintainer can make the selection. Therefore, there is a difference between numbers of different personnel and different numbers of the household maintainer.

It is also noted that Applicant does not claim to have invented a contact list in general, but the particular application of a contact point list of the maintainer of the household in the particular context of household Internet connection monitoring and troubleshooting.

It is further noted that most if not all inventions arise from a combination of old elements. See *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453,1457 (Fed. Cir. 1998). Thus, every element of a claimed invention may often be found in the prior art. See *id.* However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. See *id.* Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by Applicant. See *In re Dance*, 160 F.3d 1339, 1343, 48 USPQ2d 163.5, 1637 (Fed. Cir. 1998); *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125,1127 (Fed. Cir. 1984).

It was stated in the Office Action that Fowler in view of Buonanno does not teach providing at least one option for troubleshooting the connectivity problem; receiving a selection of one of the at least one option; and responsively performing an action relating to the Internet connection based on the received selection of option. However, it was asserted that Steinbrenner teaches these limitations.

Steinbrenner discloses an apparatus for providing diagnostic information to at least one telephone including a telephony interface device operatively coupled to at least one telephone through a telephone line. The telephone interface device is operatively coupled to a network. The telephony interface device transmits diagnostic information to the at least one telephone. The diagnostic information may include, for example, diagnostic information concerning the network, the telephony interface device itself, and the telephone line. See the Abstract.

However, as already discussed in the previous response, Steinbrenner does not disclose providing at least one option for troubleshooting the connectivity problem for the household maintainer to select and responsively perform an action based on the selected option. It is noted that in Steinbrenner the telephony interface device transmits diagnostic information to the at least one telephone, but does not provide any options to or receive any selection of options from the at least one telephone.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1 and 21-22. Applicants therefore respectfully submit that Claims 1 and 21-22 define over the prior art. Furthermore, as each of the remaining claims depends from Claims 1 or 22 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. § 103 be withdrawn.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance. Allowance of the application, accordingly, is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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